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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION – E-FILING

DAVID KAYNE, an individual citizen) Case No. C 07-4721 JF (RS)
of Georgia,)
)

Plaintiff,) [PROPOSED] ORDER GRANTING
vs.) PLAINTIFF DAVID KAYNE'S
THE THOMAS KINKADE COMPANY,) MOTION FOR A PRELIMINARY
formerly known as MEDIA ARTS) INJUNCTION
GROUP, INC., a Delaware Corporation,)
)

Defendant.)
)

Hearing Date: October 5, 2007
Hearing Time: 9:00 a.m.
Courtroom: 3, 5th Floor

After consideration of the briefs and arguments of counsel, and all other
matters presented to the Court, IT IS HEREBY ORDERED that plaintiff David
Kayne's motion for a preliminary injunction is hereby GRANTED.

Defendant The Thomas Kinkade Company is hereby ENJOINED from
proceeding further with, and from attending, the pending arbitration presently
before the American Arbitration Association, entitled *The Thomas Kinkade
Company v. David Kayne* (AAA No. 74-181-E-000733-06), or any other arbitral
proceeding pursuant to the "expedited" arbitration procedure set out in Exhibit "A"
to plaintiff's complaint herein, until further order of this Court.

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[PROPOSED] ORDER Re Preliminary Injunction

Case No. C 07-4721 JF (RS)

The parties shall be prepared to discuss further proceedings in this matter at the Case Management Conference set to occur in this matter on January 4, 2008.

IT IS SO ORDERED.

DATED: _____

Hon. JEREMY FOGEL
United States District Judge